

AO 120 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court District of Nevada on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. 2:08-cv-01114-HDM-RJ	DATE FILED 8/22/2008	U.S. DISTRICT COURT District of Nevada
PLAINTIFF Jast Company Limited		DEFENDANT Pacific Direct, Inc.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 See Complaint		
2 7,314,325		
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK
1 See Complaint	
2	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Lance S. Wilson	(BY) DEPUTY CLERK Oscar Campos	DATE 08/22/2008
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

9	JAST COMPANY LIMITED, a Hong Kong)	Case No.: 2:08-cv-1114
10	corporation,)	
)	
11	Plaintiff,)	<u>COMPLAINT</u>
)	
12	vs.)	
)	(DEMAND FOR JURY TRIAL)
13	PACIFIC DIRECT, INC., a Washington)	
	corporation,)	
14)	
	Defendant.)	

Plaintiff Jast Company Limited, ("Jast" or "Plaintiff") hereby alleges against defendant Pacific Direct, Inc. ("Pacific Direct" or "Defendant") as follows:

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over the this complaint pursuant to 28 U.S.C. § 1331 (federal question), as it arises under the patent laws of the United States.

2. This Court has personal jurisdiction over Defendant because Defendant has a continuous, systematic, and substantial presence within this Judicial District including by selling products within this Judicial District and by committing acts of patent infringement in this Judicial District, which acts form a substantial part of the events or omissions giving rise to Plaintiff's claim.

3. Venue is proper in this Judicial District under 28 U.S.C. § 1391 (b) and (c), and 28 U.S.C. § 1400 (a) and (b).

THE PARTIES

4. Plaintiff Jast Company Limited ("Jast" or "Plaintiff") is a Hong Kong corporation and the owner of U.S. Patent No. 7,314,325 entitled Pen-and-Electronic Device Assembly ("the Patent").

5. Defendant Pacific Direct, Inc. ("Pacific Direct" or "Defendant") is a Washington corporation which imports, offers for sale, sells and/or uses devices covered by the Patent, including a product sold under the name "Musical Ballpoint Pen."

FIRST CLAIM FOR RELIEF
(Patent Infringement)
(35 U.S.C. § 271)

6. Plaintiff repeats and re-alleges each and every allegation set forth in this complaint as if set forth here in full.

7. Defendant has and continues to directly infringe the Patent, contribute to the infringement of the Patent, and/or induce the infringement the Patent by directly or indirectly importing, offering for sale, selling and/or using devices which are covered by the Patent.

8. Defendant's infringement has been and continues to be intentional, knowing, willful, and deliberate, without license, without justification, and with full knowledge of Plaintiff's rights.

9. Defendant has derived, received, and will continue to derive and receive from their infringement: gains, profits, and advantages, in amounts not presently known to Plaintiff.

10. As a direct and proximate consequence of Defendant's infringement of the Patent, Plaintiff has suffered and will continue to suffer damages in an amount not yet determined.

11. Defendant will continue to directly or indirectly infringe the Patent to the great and irreparable injury of Plaintiff, unless enjoined by this Court.

12. Pursuant to 35 U.S.C. § 284, Plaintiff is entitled to damages for infringement and treble damages together with interest and costs as fixed by the court.

13. Pursuant to 35 U.S.C. § 285, Plaintiff is entitled to reasonable attorneys fees for the necessity of bringing this claim.

1 **WHEREFORE**, Plaintiff prays for relief as follows:

2 A. That Defendant be adjudged to have directly infringed the Patent.

3 B. That Defendant be adjudged to have willfully and deliberately infringed the
4 Patent.

5 C. That Defendant be adjudged to have contributed to the infringement of the
6 Patent.

7 D. That Defendant be adjudged to have induced the infringement of the Patent.

8 E. That Defendant, its officers, agents, servants, employees, and attorneys, and
9 those persons in active concert or participation with them who receive actual notice of the order
10 by personal service or otherwise, be preliminarily and permanently enjoined from directly or
11 indirectly infringing the Patent.

12 F. That this Court order an accounting with respect profits earned by Defendant's
13 infringing activity.

14 G. That pursuant to 35 U.S.C. § 284, Defendant account for actual and treble
15 damages to Plaintiff by virtue of the Defendant's infringement of the Patent.

16 H. That this Court declare this case exceptional under 35 U.S.C. § 285 and award
17 reasonable attorney fees, costs and expenses.

18 I. That this Court order the destruction of all infringing goods.

19 J. That this Court award such other relief to Plaintiff which the Court deems just
20 and reasonable.

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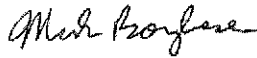
JURY TRIAL DEMANDED

Plaintiff demands a trial by jury on all issues raised by this Complaint which are triable by jury.

DATED this 22nd day of August, 2008.

Respectfully Submitted,

WEIDE & MILLER, LTD.



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